

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID TOOLE,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-19-0114-HE
)	
ANDREW M. SAUL, Commissioner)	
of the Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff David Toole filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration that he was not disabled under the Social Security Act. Pursuant to 28 U.S.C. § 636(b)(1)(B) & (C), the case was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. Judge Mitchell has issued a Report and Recommendation (the “Report”) recommending that the Commissioner’s decision be affirmed.

The parties, having failed to object to the Report, waived their right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #18]. The Commissioner’s decision is **AFFIRMED**.

IT IS SO ORDERED.

Dated this 28th day of October, 2019.



JOE HEATON
UNITED STATES DISTRICT JUDGE